

**NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH**  
**COURT III**

10. I.A. 3086/2024

In

C.P. (IB)/3968(MB)2019

CORAM: MS. LAKSHMI GURUNG, MEMBER (J)  
SH. CHARANJEET SINGH GULATI, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL  
COMPANY LAW TRIBUNAL ON **18.06.2024**

NAME OF THE PARTIES: Caryaire Equipments India Private Limited

VS

Kelvolt India Private Limited

**Appearance**

For Applicant/IRP : Adv. Durgaprasad Halwai

SECTION 9 OF THE IBC, 2016

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**ORDER**

**Hearing Through: Virtually and Physical (Hybrid) Mode**

**I.A. 3086/2024**

This application has been filed by the IRP under section 12A of the IBC for withdrawal of the main company petition which is filed under section 9 of IBC. Ld. counsel for the IRP submitted that the default amount was of Rs. 24,12,582/ and the corporate debtor has agreed to pay Rs. 13,84,000/ against the full and final settlement of all the claims as raised by the Creditor which will be payable in instalments by the Corporate Debtor to the Operational Creditor. Out of which Rs. 10,00,000/- has already been received by the OC and the balance amount by way of PDC dated 05.08.2024 for an amount of Rs. 3,84,000.00 has also been handed over to the OC.

The Operational Creditor has signed the FA which is annexed to the application.

In view of facts and circumstances of the case, the IA is **allowed** and the main company petition is **dismissed as withdrawn** by releasing the Corporate Debtor from all rigours of moratorium.

Sd/-  
CHARANJEET SINGH GULATI  
Member (Technical)  
--- Rajeev---

Sd/-  
LAKSHMI GURUNG  
Member (Judicial)